1 2 3 4	ROBERT T. SULLWOLD (SBN 88139) JAMES A. HUGHES (SBN 88380) SULLWOLD & HUGHES 235 Montgomery Street, Suite 730 San Francisco, CA 94104 (415) 263-1850 (415) 989-9798 FAX		
5	Attorneys for Plaintiff salesforce.com, inc.		
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7 8	UNITED STATES	DISTRICT COURT	
	UNITED STATES DISTRICT COURT		
9	NORTHERN DISTRICT OF CALIFORNIA		
10	SAN FRANCISCO DIVISION		
11			
12	SALESFORCE.COM, INC., a Delaware Corporation,	Case No.: C 07 3556 WHA	
13	Plaintiff,	STIPULATION AND [PROPOSED] ORDER OF	
14	V.	DISMISSAL WITH PREJUDICE PURSUANT TO RULE 41(a)	
15		10 ROLL +1(u)	
16	THE COMPUTER MERCHANT, LTD, a Massachusetts Corporation,		
17	Defendant.		
18	AND DELATED COUNTEDCLAIMS		
19	AND RELATED COUNTERCLAIMS		
20			
21	Pursuant to Federal Rule of Civil Procedure 41(a) and the settlement agreement entered		
22	into by the parties in this action effective February 11, 2008 the parties, by and through their respective		
23	undersigned attorneys, stipulate as follows:		
24	1. The Complaint filed by salesforce.com, inc. ("SFDC"), and each and every claim set		
25	forth therein, shall be dismissed with prejudice.		
26	2. The Counterclaim filed by The Computer Merchant, Ltd. ("TCML") and each and		
27	every claim set forth therein, shall be dismissed with prejudice.		
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Case No.: C 07 3556 WHA

1	3. The Counterclaim filed by Astadi	a Consulting, LLC ("ASTADIA"), and each and
2	every claim set forth therein, shall be dismissed with	prejudice.
3	4. SFDC, TCML and ASTADIA ea	ch waive all rights to recover costs and attorneys'
4	fees from each and all of the other parties.	
5		
6	SO STIPULATED.	
7	DATED: March 13, 2008.	McGRANE GREENFIELD LLP
8		
9		By: See Attachment 1 CHRISTOPHER D. SULLIVAN
10		Attorneys for Counter-Defendant and Counterclaimant
11		ASTADIA CONSULTING, LLC
12	DATED: March 12, 2008.	GALLO & ASSOCIATES
13	BTT125. Water 12, 2000.	
14		Ry: See Attachment 2
15		By: See Attachment 2 RAY E. GALLO Attorneys for Defendant
16		and Counterclaimant THE COMPUTER MERCHANT, LTD.
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19	DATED: March 14, 2008.	SULLWOLD & HUGHES
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21		By: /S/ JAMES A. HUGHES
22		Attorneys for PLAINTIFF SALESFORCE.COM, INC.
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Case No.: C 07 3556 WHA

1	<u>ORDER</u>		
2	The parties to this action having so stipulated;		
3	IT IS ORDERED:		
4	(1) the Complaint filed by saleforce.com, inc. is hereby DISMISSED WITH		
5	PREJUDICE;		
6	(2) the Counterclaim filed by The Computer Merchant, Ltd. is hereby DISMISSED		
7	WITH PREJUDICE;		
8	(3) the Counterclaim filed by Astadia Consulting, LLC is hereby DISMISSED WITH		
9	PREJUDICE; and		
10	(4) All parties to this action shall bear their own costs and attorneys' fees.		
11	STATES DISTRICT CO.		
12	DATED: March 14, 2008.		
13	Judge William Alsup		
14	Hon. William Alsup UNITED STATES DISTRICT JUDGE		
15	UNITED STATES DISTRICT JUDGE		
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Case No.: C 07 3556 WHA

Case33077evv0**3356**6WVHAA **Documee**int3322 Filiabeld 03/31/114220088 Filiage 4106/51 3. The Counterclaim filed by Astadia Consulting, LLC ("ASTADIA"), and each and every claim set forth therein, shall be dismissed with prejudice. 4. SFDC, TCML and ASTADIA each waive all rights to recover costs and attorneys' fees from each and all of the other parties. SO STIPULATED. McGRANE GREENFIELD LLP By: CHRISTOPHER D. SULLIVAN Attorneys for Counter-Defendant and Counterclaimant ASTADIA CONSULTING, LLC **GALLO & ASSOCIATES** DATED: March _____, 2008. RAY E. GALLO Attorneys for Defendant and Counterclaimant THE COMPUTER MERCHANT, LTD. DATED: March _____, 2008. **SULLWOLD & HUGHES** JAMES A. HUGHES Attorneys for PLAINTIFF SALESFORCE.COM, INC.

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Case33077evve035566VVHAA Documeent 13323 Filiabeld0331444220088 Filiagee5106151 3. The Counterclaim filed by Astadia Consulting, LLC ("ASTADIA"), and each and every claim set forth therein, shall be dismissed with prejudice. 4. SFDC, TCML and ASTADIA each waive all rights to recover costs and attorneys' fees from each and all of the other parties. SO STIPULATED. DATED: March _____, 2008. McGRANE GREENFIELD LLP By: CHRISTOPHER D. SULLIVAN Attorneys for Counter-Defendant and Counterclaimant ASTADIA CONSULTING, LLC DATED: March 12, 2008. GALLO & ASSOCIATES AY E. GALLO Attorneys for Defendant and Counterclaimant THE COMPUTER MERCHANT, LTD. **SULLWOLD & HUGHES**

DATED: March , 2008.

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JAMES A. HUGHES Attorneys for

PLAINTIFF SALESFORCE.COM, INC.

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